

**From:** [Coltrain, Katrina](#)  
**To:** [Mason, Steve](#); [amy brittain](#)  
**Subject:** Access Agreements  
**Date:** Friday, June 30, 2017 9:32:00 AM  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[201702021606.pdf](#)  
[Access \(b\) \(6\) 500001804.pdf](#)

Ocwen: property access for pit area  
 Resident: property access for Tank 5  
 Katrina Higgins-Coltrain  
 Remedial Project Manager  
 US EPA Region 6  
 LA/OK/NM Section (6SF-RL)  
 1445 Ross Avenue  
 Dallas, Texas 75202  
 214-665-8143

**From:** Jeremy Overbey [mailto:joverbey@settlepou.com]  
**Sent:** Thursday, February 02, 2017 4:16 PM  
**To:** Benton, Marvin <Benton.Marvin@epa.gov>; Eric A. Jacocks <EJacocks@settlepou.com>; Coltrain, Katrina <coltrain.katrina@epa.gov>  
**Cc:** todd.downham@deq.ok.gov; Peycke, Mark <Peycke.Mark@epa.gov>  
**Subject:** RE: Subject: Wilcox Oil ---Access Agreement ?

Benton,  
 Attached please find the executed Access Agreement. If you have any questions, please do not hesitate to contact us. Thanks,

Jeremy

JEREMY J. OVERBEY  
 ATTORNEY  
 3333 LEE PARKWAY  
 EIGHTH FLOOR  
 DALLAS, TX 75219  
 214.520.3300 main  
 214.560.1722 direct  
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**From:** Benton, Marvin [mailto:[Benton.Marvin@epa.gov](mailto:Benton.Marvin@epa.gov)]  
**Sent:** Thursday, February 02, 2017 2:36 PM  
**To:** Eric A. Jacocks; Coltrain, Katrina  
**Cc:** Jeremy Overbey; [todd.downham@deq.ok.gov](mailto:todd.downham@deq.ok.gov); Peycke, Mark  
**Subject:** RE: Subject: Wilcox Oil ---Access Agreement ?

Eric:

We spoke last week on Tuesday January 24<sup>th</sup> with  
 Jeremy Overbey, Katrina Coltrain and myself.  
 You indicated that you would submit for EPA's  
 review some revised language for the standard  
 "Access Agreement" that our RPM Katrina Coltrain



9723623

has sent to you.

Additionally, you indicated that you and Jeremy would submit some revised language by Wednesday January 25<sup>th</sup>.

It is now eight days later and EPA still has not received your revised language.

Please send me immediately your revised language.

If we can not resolve this matter by no later than close of business Friday February 3<sup>rd</sup> EPA will be compelled to explore other means of gaining access to the property in question.

Thanks,

Marvin Benton

Senior Staff Attorney

Superfund Legal Branch

Office Phone: 214-665-3190

[benton.marvin@epa.gov](mailto:benton.marvin@epa.gov)

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**From:** Eric A. Jacocks [<mailto:EJacocks@settlepou.com>]

**Sent:** Friday, January 20, 2017 3:39 PM

**To:** Coltrain, Katrina <[coltrain.katrina@epa.gov](mailto:coltrain.katrina@epa.gov)>; Benton, Marvin <[Benton.Marvin@epa.gov](mailto:Benton.Marvin@epa.gov)>

**Cc:** Jeremy Overbey <[joverbey@settlepou.com](mailto:joverbey@settlepou.com)>; [todd.downham@deq.ok.gov](mailto:todd.downham@deq.ok.gov)

**Subject:** RE: Subject: Wilcox Oil ---Access Agreement ?

Katrina,

Thank you for the response and this information.

Eric

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**From:** Coltrain, Katrina [<mailto:coltrain.katrina@epa.gov>]

**Sent:** Friday, January 20, 2017 3:04 PM

**To:** Eric A. Jacocks; Benton, Marvin

**Cc:** Jeremy Overbey; [todd.downham@deq.ok.gov](mailto:todd.downham@deq.ok.gov)

**Subject:** RE: Subject: Wilcox Oil ---Access Agreement ?

Eric/Jeremy, I am the technical project manager for the site. I am including some additional information regarding the property you own. Marvin will respond to your legal questions.

1. Removal Assessment Report (attached): This document describes the sampling already conducted on your property as well as the fencing that was installed around the oil separation pit and soil areas containing elevated levels of lead. Your property is identified as Property 001. This file has been reduced in size to facilitate emailing. Should you want the Appendices that are not included, please let me know.
2. Please refer to the web site summary for additional information on the Superfund site. On the right-hand side, after scrolling down about ½-way, you will see a link for *Additional reports and Documents*. Click on this link and you will have access to both technical and community related information. Here you will find the following technical documents that have information related to your property.
  - a. Final Sampling and Analysis Plan Phase 2 Mobilization 1 Remedial Investigation/Feasibility Study: This report outlines the additional field work we currently have planned for the site, including your property.
  - b. Geophysics and Direct Sensing Trip Report November 30, 2016 through December 16, 2016: this report has the results from the geophysics work

completed across the site. In addition, this report summarizes the findings from the Light Induced Fluorescence field event.

c. The historical reports (90s to 2011) have data acquired during the early phases of investigation.

3. Also attached for your reference is a 1956 aerial photograph of the facility as it was operating. Your property is located in the East Tank Farm and is the west-most property of the three that are in the East Tank Farm As you can see from the photograph, a large tank was located in the Northwest portion of what is now the front/side yard; a large oil separation pond was located in the middle of the property; and, a large tank was located in the Southwestern portion of the property.

Katrina Higgins-Coltrain  
Remedial Project Manager  
US EPA Region 6  
LA/OK/NM Section (6SF-RL)  
1445 Ross Avenue  
Dallas, Texas 75202Property 001  
214-665-8143

---

**From:** Eric A. Jacocks [<mailto:EJacocks@settlepou.com>]

**Sent:** Friday, January 20, 2017 2:13 PM

**To:** Benton, Marvin <[Benton.Marvin@epa.gov](mailto:Benton.Marvin@epa.gov)>; Coltrain, Katrina <[coltrain.katrina@epa.gov](mailto:coltrain.katrina@epa.gov)>

**Cc:** Jeremy Overbey <[joverbey@settlepou.com](mailto:joverbey@settlepou.com)>

**Subject:** RE: Subject: Wilcox Oil ---Access Agreement ?

Mr. Benton and Ms. Coltrain,

We just wanted to follow up with you about an extension of and to further discuss the scope of the access sought.

Thank you,

ERIC A. JACOCKS  
**ATTORNEY**  
3333 LEE PARKWAY  
EIGHTH FLOOR  
DALLAS, TX 75219  
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214.237-0655 direct  
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**From:** Jeremy Overbey

**Sent:** Thursday, January 19, 2017 10:12 AM

**To:** 'Benton.Marvin@epa.gov'; 'coltrain.katrina@epa.gov'

**Cc:** Eric A. Jacocks

**Subject:** Subject: Wilcox Oil ---Access Agreement ?

**Importance:** High

Dear Ms. Coltrain and Mr. Marvin,

As per below, Eric Jacocks and I represent Ocwen with regard to the (b) (6) address on the Wilcox Oil Superfund site. I apologize for the delays, but this is the first time they have dealt with a voluntary request for continued access to the Property and are having difficulty in dealing with which business unit would handle such a request. Ocwen has advised that usually access is authorized by a Court Order with some limitations on access and guidelines. Ocwen

has inquired about how access would be accomplished via the attached Access Agreement if signed. If the Access Agreement is not executed, would the EPA seek a Court Order? I apologize for the delay in this, but our client is having a difficult time with this as a matter of first impression. Would it be possible to get another extension of time for them to consider this? If you would like discuss this further, just let me know, and we can schedule a telephone conference. Thanks,

Jeremy

JEREMY J. OVERBEY

ATTORNEY

3333 LEE PARKWAY

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From: "Benton, Marvin" <[Benton.Marvin@epa.gov](mailto:Benton.Marvin@epa.gov)>

Date: January 6, 2017 at 4:50:34 PM CST

To: "[EJacocks@settlepou.com](mailto:EJacocks@settlepou.com)" <[EJacocks@settlepou.com](mailto:EJacocks@settlepou.com)>, "Coltrain, Katrina" <[coltrain.katrina@epa.gov](mailto:coltrain.katrina@epa.gov)>

Cc: "Nixon, Lance" <[Nixon.Lance@epa.gov](mailto:Nixon.Lance@epa.gov)>

Subject: Wilcox Oil ---Access Agreement ?

Mr. Jacocks:

Hi ! Mrs. Coltrain (my RPM) for the Wilcox Oil site has forwarded me your request for a 14 day extension to complete the Access Agreement.

EPA will agree to grant you the 14 day extension.

Please send to Mrs. Coltrain the signed access agreement by no later than

Friday January 20th.

Thanks,

Marvin Benton

Senior Staff Attorney

Superfund Legal Branch

Office Phone: 214-665-3190

[benton.marvin@epa.gov](mailto:benton.marvin@epa.gov)